

Legislative News for 2003

John Anderson, Sr. Engr. Geol.

San Diego RWQCB

www.swrcb.ca.gov/rwqcb9

Presented February 18, 2004, at the SAM Update

AB 260 (Jackson)

State Highways: Litter Control

- Requires Caltrans to assign priority within its maintenance programs for litter cleanup and abatement along state highway segments adjoining storm drains, waterways, beaches, the ocean, and other environmental sensitive areas.

AB 826 (Jackson)

Perchlorate Contamination Prevention Act

- Develop BMPs for managing Perchlorate Materials by 12/31/2005.
- Requires Cal/EPA to establish a statewide database of business plans and inventories submitted by facilities handling perchlorate materials to the CUPAs.
- Phased-in schedule for electronic collection and submittal of information.

AB 866 (Pavley) Water Quality

- Establishes the IWMP.
- Award grants to public agencies and nonprofit agencies for the implementation of watershed protection and water management projects that include specified elements.

AB 897 (Jackson)

Water Quality

- Enhances the enforcement capabilities of the SWRCB and the RWQCBs against regulated dischargers.
- Prohibits unevaluated discharge applications from proceeding if the discharge would cause pollution.
- Strengthens enforcement of non-point source programs and its water quality certification program.

AB 1218 (Dutra)

UST Claims: Performance-Based Contracts

- Establishes procedures the SWRCB must follow when paying claims for work performed pursuant to an SWRCB-approved performance-based contract.

AB 1248 (Aghazarian)

Waste Discharge Requirements

- Requires 30 days public notice and comment prior to adopting WDRs, water reclamation requirements, time schedule orders, and SWRCB water quality orders.

AB 1541 (Montanez)

WDR: Penalties

- A failure to file required discharge monitoring response = “serious violation” of WDRs.
- Minimum penalty fine of \$3,000.
- Applies only to violations that occur on or after January 1, 2004.

AB 1545 (Simitian)

Environmental Quality: Public Comments

- Requires lead agencies under CEQA to accept comments sent by e-mail as equivalent to written comments.
- Requires that laws and regulations relating to written comments also apply to e-mailed comments.
- Authorizes e-mail notices under CEQA.

AB 1640 (Laird)

Hazardous Materials: Enforcement

- Gives CUPAs the authority to suspend or revoke Unified Program facility permits due to serious and/or repeat violations of the permit's requirements.
- Authorizes a CUPA to convert an administrative decision into a civil judgment.

AB 1700 (Laird)

Military Base Remediation: Funding Federal Grants

- Prohibits the SC and the DOF from eliminating positions or expenditure authority, or imposing a hiring freeze or other personal services limitations upon any non-General Fund program that provides oversight and related support of remediation and hazardous substance management at a military base.

AB 1702 (Committee)

Hazardous Substances: USTs

Redevelopment

- Amends UST program statutes to strengthen sections identified by the USEPA that are less stringent than the federal UST program.
- Extends the deadline for compliance with UST requirements to July 1, 2004.
- Deletes the requirement under the Polanco Redevelopment Act that a person be subject to a cleanup or abatement order.

SB 418 (Sher)

F&W: Streambed Alteration Agreement

- Revises the DFG's alteration agreement process for the alteration of any streambed.

SB 923 (Sher)

Water Quality: Waivers

- Establishes new requirements for the issuance of waivers of WDRs.
- Allows, as a condition of a waiver, the payment of an annual fee.
- Requires the SWRCB or a RWQCB to provide notice regarding the adoption of a waiver and to address monitoring issues.

SB 1004 (Soto)

Resources: Perchlorate

- SWRCB or a RWQCB may require each discharger to provide or pay for uninterrupted replacement water service to each affected public water supplier or private well owner.
- Establishes an electronic database.

Where to Find Information?

<http://www.swrcb.ca.gov/rwqcb9/>

<http://www.leginfo.ca.gov/index.html>

[http://www.swrcb.ca.gov/water_laws/docs/
portercologne.pdf](http://www.swrcb.ca.gov/water_laws/docs/portercologne.pdf)